

04.08.2022
Court No. 19
Item no.51 (ML)
CP

W.P.A. No. 12759 of 2022

Rasmi Khatun
Vs.
The State of West Bengal & ors.

Mr. Raja Biswas
Mr. Abhijit Sarkar

...for the petitioner.

Mr. Raja Saha
Ms. Piyali Sengupta

...for the State.

The petitioner alleges inaction on the part of the Inspector-in-Charge, Ranaghat Police Station. It is alleged that the respondent nos. 5 to 9 had forcefully occupied the common passage, destroyed the toilet and the fittings as also threatened the petitioner with dire consequences when the petitioner tried to raise objection. It is further submitted that due to the violent activities of the said respondents, the petitioner and her family members are not being able to reside in their house. Allegation is that by taking advantage of the fact that the petitioner has only female members in the family, the respondents had indulged in such illegal activities.

Mr. Saha, learned advocate for the State submits a report. The same is taken on record. It appears that on the basis of the complaint lodged by the petitioner, Ranaghat Police Station Case No.

456/22, dated June 24, 2022, under Section 447/341/323/427/504/506/34 of the Indian Penal Code had been registered. One Naimuddin Sk was arrested on June 25, 2022 and forwarded before the learned Additional Chief Judicial Magistrate, Ranaghat, on June 26, 2022. On June 27, 2022 the rest of the accused persons surrendered before the learned court and they were granted bail.

The dispute was found to be over enjoyment of a private property by and between the parties.

Under such circumstances, this court is of the view that the police authorities have acted on the basis of the complaint filed by the petitioner. The petitioner further alleges that the accused persons have once again started disturbing the petitioner after being released on bail.

The police authorities shall keep a vigil to ensure that further unlawful activities do not take place. The pending investigation shall be reached to its logical conclusion in accordance with law.

This court has not decided on the culpability of the respondent nos. 5 to 9. These are issues to be decided in trial and the investigation shall also be subject to any other order that may be passed in an appropriate proceeding, if at all, initiated by the respondents.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)